

ORDINANCE 2024-27

1
2
3 CITY OF MYRTLE BEACH)
4)
5 COUNTY OF HORRY)
6)
7 STATE OF SOUTH CAROLINA)
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ORDINANCE IMPOSING TEMPORARY
MORATORIUM ON ACTIVITY RELATING
TO THE CONVERSION OF CERTAIN
PROPERTIES IN CLOSE PROXIMITY TO
THE BEACH FROM SHORT TERM RENTAL
TO LONG TERM RENTAL, TO ANALYZE
THE IMPACTS OF DECREASED SHORT
TERM RENTAL INVENTORY, AND TO
MAKE RECOMMENDATIONS TO CITY
COUNCIL

WHEREAS, tourism is, without question, the City's economic engine; and

WHEREAS, sustaining tourism and the revenue generated by tourism is vital to the provision of municipal services including police and fire services, sanitation, parks, licensing, road maintenance, and other public services which are necessary to protect and maintain public health, safety, and welfare and the overall quality of life; and

WHEREAS, City Council finds the loss of tourism-related revenue will negatively effect the City's ability to provide current levels of public services and amenities which, in turn, will compromise public health, safety and welfare; and

WHEREAS, the City's tourism-driven economy depends on an abundant supply of short term rental properties in close proximity to the beach; and

WHEREAS, recently, there has been increased interest in converting short term rental properties within multi-unit buildings in close proximity to the beach to long term rental properties; and

WHEREAS, the conversions have removed hundreds of short term rental units from the market; and

WHEREAS, the loss of the short term rental properties in close proximity to the beach adversely effects the City inasmuch as it causes a decrease in several revenue streams including local accommodation taxes, state accommodation taxes, tourism development fees, state hospitality taxes, local hospitality fees, business license fees as well as other tourism-driven taxes and fees; and

WHEREAS, the loss of these revenue streams not only impacts the City but also adversely impacts citizens as a result of a potential increase in ad valorem taxes as well as the potential impact on City residents' property tax credit which is derived from the Tourism Development Fee; and

WHEREAS, City Council finds the loss of short term rental properties in close proximity to the beach poses a risk of public harm inasmuch as the lost revenue will effect the level of municipal services and amenities and cause a general deterioration in the

1 quality of life and standard of living enjoyed by citizens;
2

3 **WHEREAS**, the loss of short term rental inventory and the likelihood of additional losses
4 creates the need to study the impacts, both economic and otherwise, and to review,
5 revise, and update the City's Zoning Code and other ordinances and regulations related
6 to zoning and land use planning in the area spanning from the east or seaward side of
7 Ocean Boulevard to Kings Highway, and from Grande Dunes Boulevard to the point where
8 Ocean Boulevard and Kings Highway intersect near the south City limits; and
9

10 **WHEREAS**, City Council finds there is a demonstrated and immediate need for a
11 moratorium on all activities relating to the conversion of units within multi-unit
12 buildings from short term rental properties to long term rental properties in all zoning
13 classifications that allow visitor accommodation, commonly known as short term rental,
14 within an area spanning from the east or seaward side of Ocean Boulevard to Kings
15 Highway, and from Grande Dunes Boulevard to the point where Ocean Boulevard and
16 Kings Highway intersect near the south City limits; and
17

18 **WHEREAS**, a temporary moratorium on approval of applications to convert units within
19 multi-unit buildings in close proximity to the beach from short term rental properties to
20 long term rental properties will provide the City an opportunity to study the issues
21 associated with the loss of short term rental properties in a vacation destination heavily
22 reliant on short term rental inventory and the resulting economic impacts on the City's
23 ability to provide essential public services and to consider possible amendments to the
24 City's Zoning Code as well as other ordinances and regulations related to zoning, land
25 use planning; and
26

27 **NOW, THEREFORE, BE IT ORDAINED**, by City Council of the City of Myrtle Beach, that
28 the recitals set forth above are adopted and incorporated herein as City Council's initial
29 findings of fact in support of the moratorium; and
30

31 **Moratorium.** All activities by the City Planning & Zoning Department, Construction
32 Services Department and Fire Department as well as all activities by all City boards or
33 commissions, in connection with property in close proximity to the beach converting
34 units within multi-unit buildings from short term rental to long term rental are
35 temporarily suspended and a temporary moratorium is established in order for the City,
36 through its officials, staff, boards and/or committees, to have adequate time and
37 opportunity to study and analyze the loss of short term rental inventory and the impacts
38 and consequences resulting therefrom and to make recommendations to City Council
39 concerning changes to the City's Zoning Code and other ordinances and regulations
40 relating to zoning and land use planning. For purposes of this Ordinance, "property in
41 close proximity to the beach" shall mean property in zoning classifications that permit
42 visitor accommodation, commonly known as short term rental, in an area spanning from
43 the east or seaward side of Ocean Boulevard to Kings Highway, and from Grande Dunes
44 Boulevard to the point where Ocean Boulevard and Kings Highway intersect near the
45 south City limits. Furthermore, for purposes of this Ordinance, "multi-unit building"
46 shall mean any building containing more than two (2) units.
47

48 This moratorium shall have no effect on properties or property owners who have
49 received approval from the Community Appearance Board or have been issued a building
50 permit for the creation of long term rentals prior to first reading of this Ordinance.

1
2 **Effective Period for Temporary Moratorium.** The temporary moratorium set forth in
3 this Ordinance shall be effective immediately upon enactment, and shall remain in
4 effect for two hundred and seventy (270) days from the effective date. City Council
5 may, by way of Ordinance, extend the temporary moratorium established herein. The
6 date of final adoption shall in no way adversely affect the enforceability, applicability,
7 and legality of the pending ordinance status, which shall be fully effective upon first
8 reading approval.
9

10 **Invocation of the Pending Ordinance Doctrine.** City Council hereby invokes the
11 pending ordinance doctrine, effective immediately upon first reading approval, and any
12 permit or approval that might have been issued or granted in the absence of a
13 moratorium may not be issued or granted thereafter.
14

15 **Inconsistent Ordinances.** The operation of all other Ordinances or parts of Ordinances
16 inconsistent with this moratorium Ordinance are hereby suspended to the extent of such
17 inconsistency.
18

19 **Severability.** Should any provision, section, paragraph, sentence or word of this
20 Ordinance be rendered or declared invalid by any final court action in a court of
21 competent jurisdiction or by reason of any preemptive legislation, the remaining
22 provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby
23 adopted shall remain in full force and effect.
24

25 SIGNED, SEALED AND DELIVERED THIS 14th DAY OF MAY, 2024.
26
27
28
29

30
31 
32 BREND A BETHUNE, MAYOR
33

34 ATTEST;
35

36
37 
38 JENNIFER ADKINS, CITY CLERK
39

40 1st Reading: 4.9.2024

41 2nd Reading: 5.14.2024
42